

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

ROY DANCY, JR. §  
VS. § CIVIL ACTION NO. 5:08cv76  
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Roy Dancy, Jr., an inmate confined in the Telford Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner states that in 1986 he was convicted of aggravated sexual assault in the 264th District Court of Bell County, Texas. He was sentenced to life imprisonment.

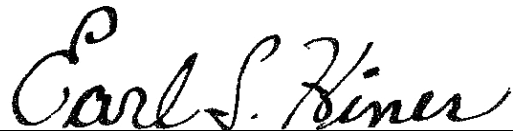
Petitioner filed this petition for writ of habeas corpus in the district in which he is currently confined. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated. Section 2241(d) further provides that the district court in the exercise of its discretion may transfer the action to the other district in the furtherance of justice.

Petitioner was convicted in Bell County, Texas.

Pursuant to 28 U.S.C. § 124, Bell County is in the Waco Division of the Western District of Texas. As the records and witnesses concerning petitioner's conviction will be located in the Western District, the court is of the opinion that the transfer of this action to the Western District would further justice.

Accordingly, this case will be transferred to the Waco Division of the United States District Court for the Western District of Texas. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

**SIGNED** this 8 day of May, 2008.

A handwritten signature in black ink, reading "Earl S. Hines", written over a horizontal line.

EARL S. HINES  
UNITED STATES MAGISTRATE JUDGE